



WISCONSIN DEPARTMENT OF CORRECTIONS

Governor Tony Evers / Secretary Kevin A. Carr

GUIDANCE DOCUMENT CERTIFICATION

I have reviewed this guidance document or proposed guidance document and I certify that it complies with sections §227.10 and §227.11 of the Wisconsin Statutes.

I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is not explicitly required or explicitly permitted by a statute or a rule that has been lawfully promulgated.

I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is more restrictive than a standard, requirement, or threshold contained in the Wisconsin Statutes.

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Name of Individual Certifying this Document/Proposed Document

ADMINISTRATOR, DIVISION OF COMMUNITY CORRECTIONS

Title


[Handwritten Signature]

Signature

6/25/19

Date Signed

Department of Corrections – Wisconsin
Office of the Secretary
Wis. Stat. § 227.112(6)
DOC-2910 (6/2019)

 <p style="text-align: center;">WISCONSIN DEPARTMENT OF CORRECTIONS Division of Community Corrections DOC-1356 (Rev. 12/2009) Administrative Directive # 15-16 Replaces #15-03</p>	EFFECTIVE DATE July 1, 2015	PAGE NUMBER 1 of 3
	MANUAL REFERENCE	<input type="checkbox"/> New <input type="checkbox"/> Revision
	ORIGINATED BY Administrator's Office Denise Symdon <i>Denise Symdon</i>	
DISSEMINATION <input checked="" type="checkbox"/> All Staff <input type="checkbox"/> Supervisory Staff Only		PRIORITY <input checked="" type="checkbox"/> Policy/Directive <input type="checkbox"/> Information Discuss at Staff Meeting Read/Route/Post
SUBJECT: Rules of Community Supervision		

Reference(s):

Wisconsin Statute s. 973.10
 Wisconsin Administrative Code 328 and 331
 DOC-0010: Rules of Supervision
 DOC-0010SO: Sex Offender Rules of Supervision

Policy Statement:

Wisconsin Administrative Code 328 gives DCC the authority to supervise offenders in the community and set offender rules of supervision. Rules of supervision explain the offender's responsibility on supervision and hold offenders accountable. This policy outlines that rules of supervision will now be entered into COMPAS and signed by the offender and DOC staff. Additionally, revised Standard Rules of Community Supervision have been issued as form DOC-10 and can be found on MyDOC. Sex Offender Rules of Supervision have been issued as form DOC-10SO.

Definitions, Acronyms:

Sex Offender: For purposes of this Administrative Directive, a sex offender is defined as a person whose criminal history includes a conviction, adjudication, or read-in for sexually assaultive or sexually motivated behavior; or a person who has a substantiated allegation (e.g., through PREA investigation, revocation proceedings or other means) of sexually assaultive or sexually motivated behavior whether or not it has been criminally charged; or a person who is required to register as a sex offender per Wisconsin Statute 301.45.

Sexually motivated means that one of the purposes for an act is for the actor's sexual arousal or gratification or for the sexual humiliation or degradation of the victim.

Procedure:

DCC Rules of Community Supervision have been updated addressing the Department's initiative of implementing Evidence Based Practices and are consistent with Administrative Code 328. Revised standard Rules of Community Supervision and revised Sex Offender Rules of Supervision have been issued and can be found on MyDOC. All staff setting rules of supervision with offenders shall use the revised rules. These 18 revised standard rules of supervision and the 6 revised standard sex offender rules have been entered into COMPAS as the system of record for offender rules.

There are several points of entry during which an offender is assigned rules of supervision. These entry points are outlined in the Business Process for COMPAS. Please refer to the Business Process for these detailed procedures.

When an offender initially appears at a DCC office, DCC staff may initiate rules of supervision using either the revised DOC-10/DOC-10SO (paper copy) or directly into COMPAS. If staff provide the offender the revised DOC-10/DOC-10SO (paper copy), the offender shall review and sign the standard Rules of Community Supervision (and Sex Offender Rules of Supervision if applicable). The offender shall be given a copy of the signed rules. If there are multiple pages, the offender shall initial each page prior to the signature page. The original copy of the signed rules will be routed to the agent of record.

As part of the intake process, the agent of record will create the rules of supervision in COMPAS. This will include up to five sets of rules: the 18 revised standard Rules of Community Supervision denoted as ST-001 through ST-018 in COMPAS; the 6 revised standard Sex Offender Rules denoted as SO-001 through SO-006; the 9 pre-written Special Sex Offender Rules denoted as SSO-001 through SSO-009; up to 10 free text Special rules denoted SP-001 through SP-010; and Confidential Rules as applicable to that offender. The agent of record will print the rules, review them with the offender, and both parties will sign the rules. If there are multiple pages of the rules, the offender will initial each page prior to the signature page. A copy of the signed rules will be given to the offender. The agent of record will enter a general note in COMPAS indicating that the rules have been signed and a copy was given to the offender.

Special Rules of Supervision

Special rules – both general and sex offender – shall have a direct correlation to the offender's committing offense, and his/her criminogenic needs. Special rules may also be amended to reflect violations, completion of criminogenic programming, or other similar events which occur during the offender's supervision.

In addition to the general rules of supervision and the general sex offender rules, COMPAS provides space for nine pre-written Special Sex Offender Rules, and up to 10 free-text special rules of supervision that can be used to target criminogenic needs or specific dynamics of a committing offense. Special rules of supervision should be used to address criminogenic needs or specific personal or criminal dynamics that are not already addressed in the standard rules of supervision or the standard sex offender rules of supervision.

DHS rules for offenders supervised under Chapter 980 and Conditional Release patients should have DHS rules entered as special rules in COMPAS only if those DHS rules would be pertinent to an on-call supervisor or for an after-hours law enforcement/monitoring center decision.

Court-ordered Conditions should not automatically become a special rule, but can be added for DOC warrant purposes; for example: No contact with victim.

With all rules being in COMPAS, please note that special rules will no longer be placed in the Case Plan file in OATS and will no longer be saved/stored in the DOC G:\ Drive.

2013 Wisconsin Act 79

It is important to note that the rules of community supervision entered into COMPAS, except for confidential rules, will be shared with the Department of Justice where local enforcement can access them. Under 2013 Wisconsin Act 79, any violation of a standard or special rule of supervision placed on an offender can result in assumed non-compliance with that rule by law enforcement, potentially leading to a search.

Confidential Rules of Supervision

COMPAS has two commonly used preset Confidential Rules which address treatment and prescription medication. COMPAS allows up to three additional Confidential Rules. When writing confidential rules of supervision, be sensitive and provide as little confidential Protected Health Information as is necessary. Note, confidential information includes Protected Health Information, victim information (addresses, phone numbers, etc.) or confidential treatment and diagnosis information. Protected Health Information is defined as individually identifiable health information transmitted by electronic media, maintained in electronic media, or transmitted or maintained in any other form or medium.

Locator: Effective February 9, 2014, the rules in Locator coming from OATS were removed. Locator will only contain the standard rules of community supervision, standard sex offender rules of supervision and standard juvenile rules of supervision, if applicable. Court ordered conditions will remain accessible by clicking on the court case information tab.